

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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JAMES BASHON GARNER,

Case No. 2-05-CV-79

Plaintiff,

Hon. Richard Alan Enslen

v.

UNKNOWN NAPEL, *et al.*,

**ORDER**

Defendants. /

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This matter is before the Court on Plaintiff James Bashon Garner's Motion for Reconsideration of the Court's Judgment Adopting United States Magistrate Judge Timothy P. Greeley's Report and Recommendation ("Report"). Under Rule 7.4(a), Plaintiff must demonstrate that the Court's Order suffers from a palpable defect, and must "also show that a different disposition of the case must result from a correction thereof." W.D. MICH. LCIVR 7.4(a).

Plaintiff alleges the Court erred in adopting the Report as a result of Judge Greeley's error in denying Plaintiff's request to enlarge the time in which to file an objection to the Report and Recommendation. The Court has reviewed Judge Greeley's denial and has found that no clear error occurred. Therefore, the Court finds that Plaintiff has failed to show the Court's Judgment suffers from a palpable defect or a different disposition of the case must result. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff James Bashon Garner's Motion for Reconsideration (Dkt. No. 124) is **DENIED**.

DATED in Kalamazoo, MI:  
March 5, 2007

/s/ Richard Alan Enslen  
RICHARD ALAN ENSLEN  
SENIOR UNITED STATES DISTRICT JUDGE